GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Registration and Stamps – Complaint No.2541/2017/B1 filed before Hon'ble Institution of Lokayukta of A.P. filed by Sri K.Sriramulu, Ananthapuramu - Registration of prohibited lands U/s. 22-A of Registration Act - Initiation of Disciplinary Action against Sri S. Champla Naik (Rtd) the then Sub-Registrar, SRO, Chilamathur – Articles of Charges - Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.864 Dated:19.09.2023
Read the following:-

1.From C&IG, R&S, A.P., Lr.No.Vig.3/G2/Rev08/22050/3/2022, dt.11.07.2023.
2. G.O.Ms.No.431, Revenue (Vig.II) Department, Dated:19.09.2023.

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ORDER :

In pursuance of the sanction accorded by the Government under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of the A.P. Revised Pension Rules, 1980 for instituting departmental proceedings against Sri S. Champla Naik (Rtd) the then Sub-Registrar, SRO, Chilamathur, vide G.O. 2nd read above, it is proposed to hold an enquiry against Sri S. Champla Naik (Rtd) the then Sub-Registrar, SRO, Chilamathur, in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I). A statement of imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri S. Champla Naik (Rtd) the then Sub-Registrar, SRO, Chilamathur is directed to submit his written statement of defence, within 15 days of the receipt of this Order.

4. Sri S. Champla Naik (Rtd) the then Sub-Registrar, SRO, Chilamathur is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri S. Champla Naik (Rtd) the then Sub-Registrar, SRO, Chilamathur is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991, or the orders / directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him ex parte.

6. The receipt of this G.O may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.K.S.JAWAHAR REDDY
CHIEF SECRETARY TO GOVERNMENT

To
Sri S.Champla Naik, the then Sub Registrar (Retd), SRO, Chilamathur (through the Commissioner & Inspector General, Registration & Stamps, Vijayawada. with a request to serve the G.O, to the individual and furnish the served copy with dated acknowledgement for record).

(P.T.O)

The Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada.

Copy to:

The Deputy Inspector General, Registration & Stamps, Ananthapuramu.

SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI S.CHAMPLA NAIK, FORMERLY SUB REGISTRAR, CHILAMATHUR, PRESENTLY RETIRED AS DISTRICT REGISTRAR, NANDYAL.

ARTICLE OF CHARGE :

That the said Sri S.Champla Naik formerly worked as Sub Registrar of Sub Registrar Office, Chilamathur, Hindupur Registration District during the period from 02.10.2014 to 10.10.2018, presently retired from service on 30.06.2019, registered Prohibited Property i.e., notified in Annexure I U/s 22A(1)(a) of Registration Act, 1908 the document Nos. 1987/2015 dated 08.06.2015 and 4894/2015 dated 05.12.2015 in respect Survey Number 286/5A Ac 5.00 in Budili Village, Gorantal Mndal. As per the Section 22A(1)(a) of Registration Act, 1908 registration of the survey numbers should not be entertained for registration. By entertaining the registration of Prohibited Property notified U/s 22A, a grave mistake on part of the Sub Registrar, Chilamathur and also caused damaged the image of the department.

Thus, Sri S.Champla Naik formerly Sub Registrar, Chilamathur by registering the above mentioned documents exhibited lack of integrity, devotion to the duty and discipline, which was unbecoming of a public servant and there by contravened sub rule [1] [2] of rule 3 of APCS (CCA) Rules, 1964.

Dr.K.S.JAWAHAR REDDY
CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SRI S.CHAMPLA NAIK, FORMERLY SUB REGISTRAR, CHILAMATHUR, PRESENTLY RETIRED AS DISTRICT REGISTRAR, NANDYAL.

K. Sriramulu, General Secretary, Samachara Sankeshema Ikya Vedika, Somandepalli Mandal, Anantapuram District filed a complaint petition before Hon'ble Lokayukta stating that:-

1. The land admeasuring Ac.5.76 of land in Sy.No.286-5 of Budhalli Village is classified as AW land. Out of the said land an extent of Ac.0.76 of land has been assigned to the Villagers for house sites) and the respective assignees constructed houses.
2. The Tahsildar, Srinivasulu issued a No Objection Certificate for registration of remaining Ac.5.00 of land and he also issued fake pattadar Passbooks in the names of Madhiga Nagaraju and 6 others.
3. The above said persons in collusion with the Tahsildar, Srinivasulu, Deputy Tahsildar Bharath Kumar and Sub-Registrar Chapla Naik alienated the lands under Registered Sale Deeds.

On the said complaint, Hon'ble Lokayukta directed the District Collector, Anantapuram to submit report. Accordingly, the Collector Anantapuram submitted his report dated 04.01.2021 stated that among others:-

1. The subject land is classified as dotted land and no pattadar name was recorded in Revenue records for the said land.
2. Kenchappa was in possession and enjoyment of the said land and after his demise the land was transferred in the name of Kadirakka, Obulappa and Subbanna.
3. They sold an extent of Ac.1.00 out of the subject land to Amasa Thippanna under a registered sale deed dated 30.03.1967.
4. The land was transferred to Madhiga Gangappa and after his demise the land was transferred in the name of his sons namely Nagaraju, Madhiga Laxmanna, Madhiga Ramana, Obula Narasimhappa, Nidimadimappa.
5. The then Tahsildar, Gorantla, T. Srinivasulu by name S. Lakshminaik issued manual pattadar passbook in the name of Nagaraju for an extent of Ac. 5.00 of lens. And using on the stand pattadar Passbook name of Nagaraju was mutated in webland.
6. By producing fake No Objections Certificate Nagaraju and his brothers have sold away the land in favour of Mahesh under a registered sale deed dated 08.06.2015 and on the basis of the registered sale deed the then Tahsildar, Gorantla. 1. Srinivasulu mutated the name of Mahesh in Revenue records.
7. On the basis of said mutation Mahesh sold the subject land to V. Raghurami Reddy under a registered sale deed dated 05.12.2015 and the said Raghurami Reddy filed a Writ Petition in W.P.No.16376/2020 on the file of Hon'ble High Court of AP and the Hon'ble High Court disposed of the said Writ Petition with an observation that the Government shall not dispossess the petitioner in the said Writ Petitioner (V. Raghurami Reddy) from subject land without following due process of law.
8. The subject land is a Government land and it is included in prohibited property list under section 22-A(a) of the AP Registration Act. By producing fake NOC said to have been issued by Tahsildar, T. Srinivasulu, Nagaraju could able to sold the land in favour of Mahesh.

Hon'ble Lokayukta observed that the NOC in respect of Prohibited lands u/s 22-A of Registration Act is to be issued by the concerned District Collector and not the Tahsildar. However, the land to an extent of Ac.5.00 in Sy. No. 286-5 of Budhalli Village, Gorantla Mandal, which was classified as Assessed Waste, which was prohibited from registration under Sec.22-A(a) of the Registration Act was registered by Sri S. Champla Naik, the then Sub Registrar, Chilamathur with fake NOC and pattadar Passbooks, said to have been issued by the Tahsildar.

Contd.,2

Hon'ble Lokayuta directed the Commissioner and Inspector General (R&S) to initiate criminal action and disciplinary proceedings against the then Sub-Registrar, Sri Champla Naik, Chilamthur, in registering the document Nos. 1987/2015 dated 08.06.2015 and 4894/2015 dated 05.12.2015 in respect Survey Number 286/5A Ac 5.00 in Budili Village, Gorantal Mandal which is a Prohibited Property U/s 22A(1)(a) of Registration Act.

Sri S.Champla Naik, the then Sub Registrar, Chilamathur presently retired as District Registrar, Nandyal has failed to insist the Identity proofs of the executant and caused irreparable damage to the parties as well as damaged the image of the department.

Thus Sri S.Champla Naik, the then Sub Registrar, Chilamathur presently retired as District Registrar, Nandyal by his above mentioned acts exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government servant and thereby contravened Rule [1] [2] of rule 3 of APCS (CCA) Rules, 1964 and hence this charge.

Dr.K.S.JAWAHAR REDDY
CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI S.CHAMPLA NAIK, FORMERLY SUB REGISTRAR, CHILAMATHUR, PRESENTLY RETIRED AS DISTRICT REGISTRAR, NANDYAL ARE PROPOSED TO BE SUSTAINED.

1. Copy of Document No.1987/2015, dated 08.06.2015 of SRO, Chilamathur.
2. Copy of Document No.4894/2015 dated 08.06.2015 of SRO, Chilamathur.
3. Prohibited Property List of Budili Village, Gorantla Mandal.
4. The Hon'ble Andhra Pradesh Lokayukth in the order L R Dis. No.2541/2017/B1/LOK/754/2022, dated 21.02.2022.

Dr.K.S.JAWAHAR REDDY
CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI S.CHAMPLA NAIK, FORMERLY SUB REGISTRAR, CHILAMATHUR, PRESENTLY RETIRED AS DISTRICT REGISTRAR, NANDYAL ARE PROPOSED TO BE SUSTAINED.

-NIL-

Dr.K.S.JAWAHAR REDDY
CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER